

REMARKS

In reply to the Notice of Non-Compliance of February 15, 2007, the claims are amended to replace the brackets around deleted claim language with strikethrough text. Further, the text of withdrawn Claims 9-30 is included. The remarks of the Amendment filed on December 11, 2006 are reiterated below for the Examiner's convenience.

After entry of the above amendments, Claims 1-8, and 31-46 will be pending in the above identified application. Support for Claims 31-46 is provided in Applicants' specification at, for example, page 6, lines 16-20, page 16, lines 3-10, page; 12, lines 18-25, and page 17, lines 16-18. No new matter has been added. Filed concurrently herewith under separate cover, is a Request for Continued Examination under 37 C.F.R. § 1.114.

Claims 1-6: Rejections under 35 U.S.C. § 102(e)

Claims 1-6 stand rejected under 35 U.S.C. § 102(e) as allegedly being anticipated by U.S. Patent No. 6,073,165 to Narasimhan et al. ("Narasimhan") Applicants respectfully disagree with the rejection but assert that the rejection is moot in light of the amendments to Claims 1-6. Support for Claims 1-6 as amended is provided in Applicants' specification at, for example, page 10, line 3-12, page 12, line 19-26, page 16, lines 11-20, and page 18, lines 22-27.

A claim is anticipated only if each and every element as set forth in the claim is found either expressly or inherently described in a single prior art reference. *Verdegaal Brothers v Union Oil Co. of California*, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). The identical invention must be shown in as complete detail as is contained in the claim. *Richardson v Suzuki Motor Co.*, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989).

The Applicants submit that Narasimhan does not disclose all the elements recited in Claims 1, 3, and 5 as amended. More specifically, Claims 1, 3, and 5 as amended recite, *inter*

alia, “forwarding the forwarded information to a remote device.” Applicants submit that Narasimhan does not disclose this element as recited in Claims 1, 3, and 5. As amended, Applicants respectfully submits that these claims are now allowable over the cited art.

Similarly, Claims 2 and 6 recites, *inter alia*, “sever software that forwards the forwarded information to a remote device.” For the reasons provided earlier with respect to Claims 1, 3 and 5, Applicants submit that Narasimhan does not disclose this element. Thus, the Applicants respectfully request reconsideration and allowance of Claims 2 and 6.

Finally, Claim 4 as amended recites, *inter alia*, “server software that conveys the information to a remote device.” Applicants submit that Narasimhan does not disclose this element as recited in Claim 4. As amended, Applicants respectfully submits that Claim 4 is allowable over the cited art.

Claims 1-2, 7-8: Rejections under 35 U.S.C. § 103(a)

Claims 1-2 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Chen et al., U.S. Patent No. 6,510,455 (“Chen”), in view of Paarsmarkt et al., U.S. Patent No. 6,118,856 (“Paarsmarkt”), and Narasimhan et al., U.S. Patent No. 6,073,165 (“Narasimhan”). Claims 7-8 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Narasimhan in view of Moon et al., U.S. Patent No. 6,138,146 (“Moon”). Applicants respectfully disagree with these rejections but assert that the rejections are moot in light of the amendments to Claims 1-2 and 7-8. Support for Claims 1-2 and 7-8 as amended is provided in Applicants’ specification at, for example, page 10, line 3-12, page 12, line 19-26, page 16, lines 11-20, and page 18, lines 22-27.

Claims 9-30 are withdrawn and therefore the rejection of these claims is moot.

To establish a *prima facie* case of obviousness, three basic criteria must be met. *See* MPEP §§ 706.02(j), 2143-2143.03; In re Vaeck, 947 F.2d 488 (Fed. Cir. 1991). First, there

must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. *Id.* Second, there must be a reasonable expectation of success. *Id.* Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. *Id.* The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art and not based on Applicant's disclosure. *Id.*

Claims 1-2 stand rejected as being allegedly obvious under 35 U.S.C. § 103(a) over Chen in view of Paarsmarkt and Narasimhan. Reconsideration and withdrawal of the rejections is respectfully requested, as follows.

Neither Chen nor Paarsmarkt nor Narasimhan teach or suggest all of the limitations of the subject claims, either alone or as combined as suggested by the Office Action. It is respectfully submitted that Claims 1-2 are patentable over Chen in view of Paarsmarkt and Narasimhan for the same reasons discussed above in connection with the rejection under 35 U.S.C. § 102(e). Namely, Claim 1 includes "forwarding the forwarded information to a remote device." None of the cited patents disclose alone or in combination this element and as such, it would not have been obvious to one of ordinary skill in the art at the time of invention. Claim 2 recites "a means for forwarding server software that forwards the forwarded information to a remote device." Similarly, none of the cited patents disclose alone or in combination this element and as such, it would not have been obvious to one of ordinary skill in the art at the time of invention. Therefore, Chen in view of Paarsmarkt and Narasimhan does not render Claim 1 or 2 obvious, and withdrawal of the rejection is therefore respectfully solicited.

Claims 7-8 stand rejected as being allegedly obvious under 35 U.S.C. § 103(a) over Narasimhan in view of Moon.

Neither Narasimhan nor Moon teach or suggest all of the limitations of the subject claims, either alone or as combined as suggested by the Office Action. It is respectfully submitted that Claims 7 and 8 are patentable over Narasimhan in view of Moon. Claim 7 includes “forwarding the receipt data to a remote device,” and Claim 8 includes “server software that forwards the forwarded email data to a remote device.” None of the cited patents disclose this element. The Office Action asserts, Narasimhan and Moon teach identifying email data that should not be forwarded, and thus, their combined teachings make obvious “which emails messages to filter or block.” While applicants respectfully disagree with this assertion, nevertheless, neither alone or in combination discloses forwarding to a remote device.

New Claims

The Applicants assert that new Claims 31-33 are patentable over the cited prior art references. New Claims 31-33 depend from Claim 1. Thus, Claims 31-33 are patentable for at least the reasons provided earlier with respect to Claim 1.

New Claims 34-36 are patentable over the cited prior art references. New Claims 34-36 depend from Claim 2. Thus, Claims 34-36 are patentable for at least the reasons presented earlier with respect to Claim 2.

New Claims 37-38 are patentable over the cited prior art references. New Claims 37-38 depends from Claim 3. Thus, Claims 37-38 are patentable for at least the reasons provided earlier with respect to Claim 3.

New Claims 39-40 are patentable over the cited prior art references. New Claims 39-40 depend from Claim 4. Thus, Claims 39-40 are patentable for at least the reasons presented earlier with respect to Claim 4.

New Claims 41-42 are patentable over the cited prior art references. New Claims 41-42 depends from Claim 5. Thus, Claims 41-42 are patentable for at least the reasons provided earlier with respect to Claim 5.

New Claims 43-44 are patentable over the cited prior art references. New Claims 43-44 depends from Claim 6. Thus, Claims 43-44 are patentable for at least the reasons provided earlier with respect to Claim 6.

New Claim 45 is patentable over the cited prior art references. New Claim 45 depends from Claim 7. Thus, Claim 45 is patentable for at least the reasons provided earlier with respect to Claim 7.

New Claim 46 is patentable over the cited prior art references. New Claim 46 depends from Claim 8. Thus, Claim 46 is patentable for at least the reasons provided earlier with respect to Claim 8.

Moreover, Claims 32, 35, 42, and 44 are patentable over the cited prior art references because these references, either singly or together, do not disclose or suggest at least the following element: “downloaded software self-installs.”

The Applicants respectfully request that new Claims 31-46 be allowed.

CONCLUSION

On the basis of the above amendments and remarks, Applicants believe that the rejections have been addressed. Reconsideration and allowance of the claims is believed to be warranted and such action is respectfully requested. If the Examiner has any questions or comments, the Examiner is respectfully requested to contact the undersigned at the number listed below.

Respectfully submitted,

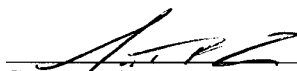
OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.

Customer Number

22850

Tel: (703) 413-3000
Fax: (703) 413 -2220
(OSMMN 08/07)

SAM/SP:sjh



Scott A. McKeown
Registration No. 42,866